

McGREGOR W. SCOTT
United States Attorney
KRISTIN S. DOOR, SBN 84307
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916)554-2723

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Civ. S-05-0418 MCE KJM
)	
Plaintiff,)	FINAL JUDGMENT OF
)	FORFEITURE
v.)	
)	
2002 CADILLAC ESCALADE, VIN:)	
1GYEK63N52R122808, CALIFORNIA)	
LICENSE 4UHN183,)	
)	
Defendant.)	
)	
VICTORIA VELAZQUEZ,)	
)	
Claimant.)	
)	

Pursuant to the Stipulation for Final Judgment of
Forfeiture, the Court finds as follows:

1. This is a civil forfeiture action against a 2002
Cadillac Escalade seized in the Eastern District of California by
the Federal Bureau of Investigation on September 22, 2004, from
claimant's son, Juan Pablo Velazquez.

2. A Complaint for Forfeiture In Rem was filed on or about
March 1, 2005, seeking the forfeiture of the defendant vehicle,
alleging that the truck is subject to forfeiture pursuant to 21

1 U.S.C. § 881(a)(4).

2 3. On or about March 4, 2005, the Court issued a Warrant
3 of Arrest In Rem for the defendant vehicle, and it was duly
4 executed on March 17, 2005.

5 4. On or about March 7, 2005, copies of the Complaint for
6 Forfeiture In Rem, Summons and Warrant of Arrest In Rem,
7 Affidavit, Application and Order for Publication, and court
8 notices were served by certified mail on claimant's and Juan
9 Pablo Velazquez' attorney, Victor S. Haltom.

10 5. On or about May 13, 2005, a Public Notice of Arrest of
11 defendant vehicle appeared by publication in the Appeal Democrat,
12 a newspaper of general circulation in Yuba County. The Proof of
13 Publication were filed with the Court on May 26, 2005.

14 6. Claimant filed a verified claim to the defendant
15 property on April 4, 2005, and filed an Answer to the Complaint
16 for Forfeiture In Rem on April 22, 2005. No other parties have
17 filed claims or answers in this matter, and the time for which
18 any person or entity may file a claim and answer has expired.
19 Claimant represents and warrants that she is the sole owner of
20 the defendant vehicle.

21 Based on the above findings, and the Court being otherwise
22 fully advised in the premises, it is hereby

23 ORDERED AND ADJUDGED:

24 1. That the Court adopts the Stipulation for Final
25 Judgment of Forfeiture entered into by and between the parties to
26 this action.

27 2. That judgment is hereby entered against claimant
28 Victoria Velazquez and all other potential claimants who have not

1 filed claims in this action.

2 3. That all right, title, and interest in the defendant
3 vehicle is hereby forfeited to the United States pursuant to 21
4 U.S.C. § 881(a)(4).

5 4. That plaintiff United States of America and its
6 servants, agents, and employees and all other public entities,
7 their servants, agents, and employees, are released from any and
8 all liability arising out of or in any way connected with the
9 arrest/seizure or forfeiture of defendant vehicle. This is a
10 full and final release applying to all unknown and unanticipated
11 injuries, and/or damages arising out of said arrest/seizure or
12 forfeiture, as well as to those now known or disclosed. The
13 parties to this agreement waive the provisions of California
14 Civil Code § 1542.

15 5. That pursuant to the stipulation of the parties, and
16 allegations set forth in the Complaint for Forfeiture In Rem
17 filed on March 1, 2005, the Court finds that there was reasonable
18 cause for the seizure of the defendant vehicle, and a Certificate
19 of Reasonable Cause pursuant to 28 U.S.C. § 2465 shall be entered
20 accordingly.

21 6. That all parties are to bear their own costs and
22 attorney fees.

23
24 CERTIFICATE OF REASONABLE CAUSE

25 Pursuant to the Stipulation for Final Judgment of Forfeiture
26 filed herein and the allegations set forth in the Complaint for
27 Forfeiture In Rem filed March 1, 2005, the Court enters this
28 Certificate of Reasonable Cause pursuant to 28 U.S.C. § 2465,

1 that there was reasonable cause for the seizure of the defendant
2 vehicle.

3 IT IS SO ORDERED.

4 DATED: August 1, 2006

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8 MORRISON C. ENGLAND, JR.
9 UNITED STATES DISTRICT JUDGE
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